

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

Criminal No. 06-308 (RHK/SRN)

v.

**ORDER FOR CONTINUANCE AND  
FINDING OF EXCLUDABLE TIME**

Luetta Kaye Jacobsen,

Defendant.

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Nicole Engisch and William Otteson, Assistant United States Attorneys, 300 South Fourth Street, Room 600, Minneapolis, MN 55415, counsel for Plaintiff.

Caroline Durham and Andrea George, Assistant Federal Defenders, 300 South Fourth Street, Room 107, Minneapolis, MN 55415, counsel for Defendant.

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The defendant in this matter has moved for a continuance of the trial date (Motion for Continuance and Finding of Excludable Time, Docket No. 44). The Court held a hearing on this motion on July 20, 2007. Based upon the defendant's motion, the arguments of counsel, and all the files records and proceedings herein, the Court finds that the interest of the public or the defendant for a speedier trial are outweighed by the ends of justice being better served in the granting of the requested continuance. Specifically, the defendant has indicated through counsel that she needs additional time prior to trial to locate and work with a handwriting expert. Moreover, defense counsel advised the Court that a trial date in September will permit the defense sufficient time to perform this work. Therefore, the Court finds that, within the meaning of 18 U.S.C. § 3161(h)(8)(A) and (B), the failure to

grant this continuance will deprive the defendant of due process guaranteed by the Fifth Amendment and adequate counsel guaranteed by the Sixth Amendment arising from the unusual and complex facts and circumstances and legal issues raised in the circumstances of this case.

Thus, upon application of the defendant and for good cause shown, the Court finds that it is in the interest of justice that the Defendant's Motion for Continuance and Finding of Excludable Time be GRANTED.

**IT IS HEREBY ORDERED** that the trial in the above-captioned case be continued to September 10, 2007.

Dated: 7/24/07

s/Richard H. Kyle  
Honorable Richard H. Kyle  
United States District Court Judge